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PTO/SB/21 (08-00)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number & Confirmation Number	10/787,058	9527
		Filing Date	2/24/2004	
		First Named Inventor	Spilker, Jr.	
		Group Art Unit	3662	
		Examiner Name	Phan, Dao Linda	
Total Number of Pages in This Submission		Attorney Docket Number	RSM054001	

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard A. Dunning, Jr.
Signature	
Date	5-15-05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Spilker, Jr. Art Unit : 3662
Serial No. : 10/787,058 Examiner : Phan, Dao Linda
Filed : 2/24/2004 Conf. No. : 9527
Title : POSITION LOCATION AND DATA TRANSMISSION USING PSEUDO
DIGITAL TELEVISION TRANSMITTERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97-98

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is a modified form PTO-1449 listing documents for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of documents, or that inclusion of a document in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months from the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:

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Date of Deposit

Diane Dunning

Diane Dunning

Typed or Printed Name of Person Signing Certificate

- attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND
 - attached hereto is the fee set forth under 37 CFR § 1.17 (p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. __/___, __, filed on _____, and the documents cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

Applicant : Spilker, Jr.
Serial No. : 10/787,058
Filed : 2/24/2004

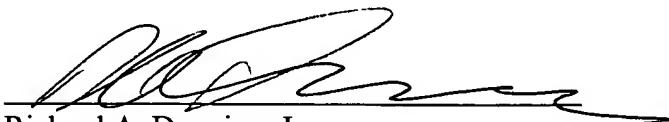
Attorney's Docket No.: RSM054001

Page: 3

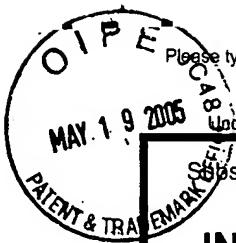
Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.
Consideration of the listed documents and favorable action are respectfully requested.

Date: 5-15-05
Law Office of Richard A. Dunning, Jr.
343 Soquel Avenue, Suite 311
Santa Cruz, CA 95062
Telephone: 831.420.0561
Facsimile: 831.420.0566

Respectfully submitted,



Richard A. Dunning, Jr.
Attorney/Agent for Applicant(s)
Reg. No. 42502



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<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>				<p>Complete if Known</p> <table border="1"> <tr> <td>Appl. No. & Conf. No.</td> <td>10/787,058</td> <td>9527</td> </tr> <tr> <td>Filing Date</td> <td colspan="2">2/24/2004</td> </tr> <tr> <td>First Named Inventor</td> <td colspan="2">Spilker, Jr.</td> </tr> <tr> <td>Group Art Unit</td> <td colspan="2">3662</td> </tr> <tr> <td>Examiner Name</td> <td colspan="2">Phan, Dao Linda</td> </tr> <tr> <td>Attorney Docket Number</td> <td colspan="2">RSM054001</td> </tr> </table>			Appl. No. & Conf. No.	10/787,058	9527	Filing Date	2/24/2004		First Named Inventor	Spilker, Jr.		Group Art Unit	3662		Examiner Name	Phan, Dao Linda		Attorney Docket Number	RSM054001	
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Sheet	1	of	1																					

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached

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